

March 5, 2007

RE: Robert Faull v. Department of Transportation (DOT)
Allocation Review No. 06AL0063

Dear Mr. Faull:

The Director's review of DOT's allocation determination of your position has been completed. The review was based on the written documentation submitted by you and by DOT. DOT determined that your position was properly allocated to the Maintenance Mechanic 3 classification. You asked that your position be reallocated to the Maintenance Mechanic 4 classification. (Exhibit C).

Background

As a result of the Department of Personnel's implementation of the new occupational categories, effective January 1, 2006, your position was transitioned into the new Maintenance Mechanic 3 classification in the Trades Helper/General Maintenance Occupational Category. (Exhibit B). By letter dated January 11, 2006, you requested a review of that decision. (Exhibit C).

At the request of the Department of Personnel, DOT conducted a review of your position. DOT reviewed the Classification Questionnaire (CQ) that was on file for your position at the time of the implementation of the new Trades Helper/General Maintenance Occupational Category, your letter requesting a Director's review, information received from your supervisor and the relevant classification specifications. By letter dated January 12, 2007, DOT determined that your position was properly allocated to the Maintenance Mechanic 3 classification. (Exhibit E).

By letter dated December 29, 2006, Karen Wilcox, the Director's Review Coordinator, informed the parties that the review of your position would be conducted based on the documents provided by the parties. (Exhibit F).

Summary of Mr. Faull's Perspective

In your letter of appeal, you state that you perform specialized, journey-level work and possess the required certifications in your area of specialization. You work on the largest fire system in the state. This system consists of 72,000 square feet and 13.6 miles of fire system. You assert that you supervise multiple craft journey-level workers and vendors. You design, co-coordinate and inspect fire and water systems, which includes writing work scopes, arranging for vendors, inspecting for compliance with local codes, and working with the fire departments to assure systems are up to code, are inspected yearly and that the proper forms are filed. You order materials and maintain the inventory and set up the maintenance program, write work orders and file complete work orders and reports. Your duties require you to work in hazardous locations, which entail completing the proper forms and maintaining and using safety equipment. You sometimes work underground in tunnels and in utilidors. You maintain, test and write reports on a variety of mechanical and electrical systems. You maintain a special backflow certification that is required by the Seattle water department. You also maintain your status as a journeyman Pipefitter, and you are trained in advanced plumbing, math and science, advanced blueprint, welding and steam theory through your Local #32. You contend that your position should be reallocated to the Maintenance Mechanic 4 level due to the additional training, certifications and continuing education necessary for your position.

Summary of DOT's Reasoning

DOT compared your duties and responsibilities to the new Maintenance Mechanic 3 and Maintenance Mechanic 4 classifications.

DOT determined that you do not perform the supervisory responsibilities required at the Maintenance Mechanic 4 level but acknowledged that on occasion you lead or direct the work of trades helpers in accomplishing your assigned tasks. DOT also found that you were one of five Maintenance Mechanics (MM) performing similar work in the tunnel organization and that none of the MM 3s had supervisory responsibilities. DOT also determined that your responsibility for tunnel fire protection systems requires additional certification, but it does not rise to the level of an expert as defined in the MM 4 classification.

DOT concluded that your position fits within the distinguishing characteristics for the MM 3 classification and that your position is properly allocated.

Director's Determination

As the Director's designee, I carefully reviewed all of the documentation in the file including your letter requesting a review of DOT's determination, the duties and responsibilities you described in your CQ and the organizational chart for the Northwest Region Maintenance Office. Based on my review of the documents, the available classifications, and my analysis of your assigned duties and responsibilities, I conclude that your position is properly allocated to the Maintenance Mechanic 3 classification.

Rationale for Determination

Your position clearly fits with the Category Concept for the Trades Helper/General Maintenance Occupational Category, which states:

Positions in this series perform general maintenance, repair, remodeling and construction duties utilizing working knowledge of several related skill fields such as electrical, plumbing, carpentry, welding, painting and machinist work. Incumbents inspect, repair, install and maintain physical facilities, locks and maintain and repair machinery and equipment. Positions may be required to lead or supervise and instruct offenders, inmates or residents in general maintenance activities.

The legal requirements for the Trades Helper/General Maintenance Occupational Category state:

There may be instances where individual positions must have additional licenses or certification. It is the employer's responsibility to ensure the appropriate licenses/certifications are obtained for each position.

Your position is required to have a valid Washington State Driver's License, journey-level status as a plumber/pipefitter, and a back flow license. Your position meets the legal requirements for the occupational category. However, the legal requirements for this occupational category do not determine which classification level is the appropriate allocation for a position.

Allocation determinations are based primarily on the Distinguishing Characteristics of a classification.

The Distinguishing Characteristics for the Maintenance Mechanic 4 classification state:

This is the supervisory or expert level of the series. Positions at this level are responsible for shop administration and supervising maintenance personnel, equipment mechanics or others performing skilled maintenance, repair and modification of plant machinery and mechanical equipment involved with buildings, special apparatus, utilities and facilities. This level also includes positions which erect construction or communication towers around 300 feet high.

The Glossary of Terms found in the Department of Personnel's Classification and Pay Administrative Guide defines a supervisor as:

An employee assigned responsibility by management to participate in all of the following functions with respect to their subordinate employees: (1) selection of staff, (2) training and development, (3) planning and assignment of work, (4) evaluating performance, (5) adjusting grievances, and (6) taking corrective action. Participation in these functions must not be of a merely routine nature but requires the exercise of individual judgment.

Neither your CQ, the organizational chart nor your letter requesting this review indicate that your position is responsible for administration of the maintenance shop. Neither your CQ nor the organizational chart indicate that you have supervisory responsibilities.

Positions allocated to the MM 4 classification are also considered the "expert level" within the series. The Department of Personnel's Classification and Pay Administrative Guide indicates that:

Incumbents functioning at the expert level typically handle an agency's most complex, most sensitive, or most critical issues. Incumbents are recognized as a technical expert and are typically characterized by handling precedent-setting issues or those with the potential for broad impact. They initiate proactive intervention as necessary. Supervision received is primarily administrative in nature (e.g. leave slips, evaluations, etc.) rather than focused on the technical duties assigned.

As indicated on the organizational chart, you are part of a team reporting to a lead maintenance position. The lead position reports to the Tunnel Maintenance Supervisor. Two of the positions within your team are identified as plumbers, including your position. This is consistent with DOT's finding that you were one of five Maintenance Mechanics (MM) performing similar work in the tunnel organization. While you perform specialized work, you are not performing at an expert level as anticipated at the MM 4 level. You provided no documentation to show that you are recognized as a technical expert, that you handle precedent-setting issues or issues with the potential for broad impact, or that you initiate proactive intervention.

Your position does not have the breadth of impact or level of expertise required for allocation to the MM 4 level.

The Distinguishing Characteristics for the Maintenance Mechanic 3 classification state:

This is the senior, specialist or leadworker level of the series. Positions at this level perform skilled work in more than one trade or craft. Incumbents typically specialize in one trade or craft but perform journey-level and semi-skilled work in a variety of disciplines. Incumbents perform construction, maintenance, repair and modification of buildings, facilities, mechanical equipment, machinery and specific apparatus and utilize a working knowledge of several related skill fields such as plumbing, electrical, welding, carpentry, and machinist work.

The duties described in your CQ fit within the Distinguishing Characteristics of the Maintenance Mechanic 3 classification. You perform specialized work within the Mount Baker Tunnel, Mercer Island Lid and the I-5 Convention Center. The majority of your work involves maintaining and repairing air, foam and water fire protection systems, pneumatic and hydraulic actuators and controls related to automated valves, building wet sprinkler systems, mechanical valves, hydraulic and pneumatic piping, firemain circulating pumps, foam pumps, heating boilers, air compressor motors, piping insulation, piping drains and vents, back flow preventers, and sewage and drainage lift pumps, and plumbing fixtures. In addition, you perform minor arc

welding. You inspect and test fire protection systems and equipment, install new lines and equipment. You also estimate time and materials, order materials, obtain bids from vendors, research sources of equipment, provide input to engineers and design consultants for new systems and review systems prints and drawings.

You specialize in the plumber/pipefitter trade but perform tasks in a variety of disciplines. You are involved in the construction, maintenance, repair and modification of systems and equipment, and specific apparatus used in fire protection systems and you utilize a working knowledge of several related skill fields such as plumbing, pipefitting, electrical and welding.

The duties and responsibilities of your position fit within the Distinguishing Characteristics of the MM 3 classification.

While not allocating criteria, the Examples of Work for the MM 3 classification encompass the scope of your position and relate to your position as follows:

. . .

Installs and maintains plumbing, electrical and mechanical fixtures; installs, maintains, and repairs pipes, valves, drains, . . . ;

. . .

Performs preventative maintenance and repair on all types of mechanical equipment . . . ;

. . .

Develops preliminary cost estimates of repairs, maintenance or alteration projects;

. . .

Develops solutions to repair and maintenance problems;

. . .

Reads and interprets plans, blueprints and sketches;

. . . .

As a result, your position is properly allocated to the Maintenance Mechanic 3 classification.

Appeal Rights

WAC 357-49-018 provides that either party may appeal the results of the Director's review to the Personnel Resources Board by filing written exceptions to the Directors' determination in accordance with Chapter 357-52 WAC.

WAC 357-52-015 states that an appeal must be received in writing at the office of the Board within thirty (30) calendar days after service of the Directors' determination. The address for the Personnel Resources Board is 2828 Capitol Blvd., P.O. Box 40911, Olympia, Washington, 98504-0911.

If no further action is taken, the Director's determination becomes final.

Sincerely,

Teresa Parsons
Director's Review Supervisor

cc: Niki Pavlicek, DOT

List of Exhibits for Faull 06AL0056

- A. CQ for position #11472 signed by Mr. Faull on April 25, 2000; Essential Job Functions signed by Mr. Faull on April 25, 2000; and organization chart for the Northwest Region Maintenance Office, Area 5, Bellevue, dated March 28, 2005
- B. December 27, 2005 letter from Dat Nguyen informing Mr. Faull of the reallocation of his position to the Maintenance Mechanic 3 classification
- C. January 11, 2006 letter from Mr. Faull to the Director of the Department of Personnel requesting a review of his position
- D. September 27, 2006 letter from Teresa Parsons to Mr. Faull and Niki Pavlicek informing them that Mr. Faull's review request would be held until after DOT conducted a complete review and analysis of his duties and responsibilities
- E. January 12, 2007 Allocation Review Request letter from Ms. Pavlicek to Mr. Faull finding that Mr. Faull's position was properly allocated
- F. January 21, 2007 letter from Karen Wilcox to Mr. Faull confirming that the position review would be based on the documents submitted
- G. Trades Helper/General Maintenance Occupational Category including the classification specifications for Maintenance Mechanic 3 (626L) and Maintenance Mechanic 4 (626M)